

DECLARATION FOR PATENT APPLICATION

Atty Docket 23233-YX

As a ~~believed~~ inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

I/We believe I/we am/are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

MAXIMIZING EFFECTIVENESS OF SUBSTANCES USED TO IMPROVE HEALTH AND WELL BEING

the specification of which: (check one)

☒ is attached hereto.

☐ was filed on _____, as Serial No. _____,
and was amended on _____ 19____ (if applicable).

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

I/We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

| (Application No.) | (Country) | (Day/Month/Year Filed) | Priority Claimed | |
|-------------------|-----------|------------------------|------------------------------|-----------------------------|
| | | | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Application No.) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (Application No.) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

I/We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Suet M. Chong, Reg. No. 38,104; Todd L. Juneau, Reg. No. 40,699; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; David H. Milligan, Reg. No. 42,893; David R. Murphy, Reg. No. 22,751; Gregory B. Kang, Reg. No. 45,273; Scott F. Yarnell, Reg. No. 45,245; and Robert G. Lev, Reg. No. 30,280, as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

Direct Telephone Calls to:

Garv M. Nath
(202) 775-8383

Send Correspondence to:
NATH & ASSOCIATES
Sixth Floor
1030 Fifteenth Street, N.W.
Washington, D.C. 20005 U.S.A.

I/We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.) (U.S. Filing Date) (Status—patented, pending, abandoned)

(U.S. Application Serial No.) (U.S. Filing Date) (Status—patented, pending, abandoned)

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: VICTOR M. HERMELINInventor's signature: Victor M. Hermelin Date: 12/22/99Residence: 1722 Baxter Forest Valley Court, Chesterfield, MO 63005Citizenship: United StatesPost Office Address: 1722 Baxter Forest Valley Court, Chesterfield, MO 63005



MAIL STOP PATENT
Attorney Docket No. 23233YXY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Victor HERMELIN

Art Unit: 1743

Serial No.: 10/644,041

Filed: August 20, 2003

Title: **MAXIMIZING EFFECTIVENESS OF SUBSTANCES USED TO
IMPROVE HEALTH AND WELL BEING**

CHANGE IN SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the guidelines of 37 CFR §1.28(c), Applicant respectfully informs the U.S. Patent and Trademark Office that although in good faith the small entity status in the above-indicated application was established in error.

In accordance with 37 CFR §1.28(c)(1)-(2), Applicant is submitting check No. 19852 in the amount of \$395.00 to cover the fee deficiency. An itemization of the total deficiency payment, as required under 37 CFR 1.28(c)(2)(ii), is provided as follows:

| | |
|---|------------------------------------|
| (A) Basic filing fee - utility | \$770.00 for large entity |
| (B) Filing fee paid on August 20, 2003 | \$375.00 for small entity |
| (C) Deficiency owed | \$395.00 (check No. <u>19852</u>) |
| (D) Total owed | <u>\$395.00</u> |

Adjustment date: 12/16/2003 JBALINAN
08/21/2003 HMARZ11 00000022 10644041
01 FC:2001 -375.00 OP

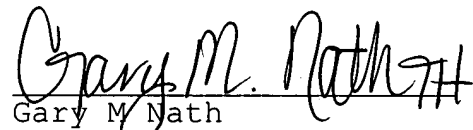
Kindly direct any questions to the undersigned attorney.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: Dec. 12, 2003

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